

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EDMOND R. JESSE, and KATHLEEN)
M. JESSE,)

8:12CV279

Plaintiffs,)

v.)

**MEMORANDUM
AND ORDER**

LANCE R. JESSE, et al.,)

Defendants.)

This matter is before the court on its own motion. On September 12, 2012, the court entered a Memorandum and Order provisionally filing this matter, but requiring Plaintiffs to either file a motion for leave to proceed in forma pauperis or pay the \$350.00 filing fee no later than October 12, 2012. (Filing No. [4](#).) The court warned Plaintiffs that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.*) Neither Plaintiff has paid the \$350.00 filing fee or submitted a motion for leave to proceed in forma pauperis.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice for failure to pay the court's filing fee, and for failure to comply with a court order. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 25th day of October, 2012.

BY THE COURT:

s/ John M. Gerrard
United States District Judge

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